



August 18, 2011

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Communication, MB Docket No. 11-43

Dear Ms. Dortch:

On August 15, 2011, Jane Mago and the undersigned of the National Association of Broadcasters (NAB) met with Joshua Cinelli, Media Advisor, in the Office of Commissioner Copps and Dave Grimaldi, Chief of Staff and Media Legal Advisor, in the Office of Commissioner Clyburn.

In addition to our Ex Parte Notice filed on August 16, 2011, we wish to clarify that we discussed the timing for stations that may become affiliates of the top-four commercial networks in the top 25 markets after the effective date of the rules, and their obligations under the Congressional timetables contemplated by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA).¹ A broadcast licensee not currently a top-four network affiliate may in the future become a top-four affiliate but may not at that time be technically ready to pass through video description. That station will need a reasonable period to become technically capable. The CVAA itself does not require an immediate imposition of the video description rules on a station that newly becomes a “top-four, top-25” affiliate, and NAB anticipates that without such a grace period, a station in this situation would seek a waiver of the rules.

Accordingly, rather than burdening Commission staff with waiver requests, a reasonable phase-in period of at least three months (but preferably six months), and in regulatory parity with other providers of video description, should be permitted to allow such stations time to become technically capable of passing through video description.

¹ See Comments of the National Association of Broadcasters, In the Matter of Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, MB Docket No. 11-43, April 28, 2011 at p. 11.

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Please direct any questions regarding these matters to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ann West Bobeck". The signature is stylized, with a large, looped initial "A" and a cursive "B" for "Bobeck".

Ann West Bobeck
Senior VP and Deputy General Counsel
Legal and Regulatory Affairs

cc: Joshua Cinelli
Dave Grimaldi